

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBERT LINDBLAD,

Plaintiff,

v.

CITY OF MILLBRAE, et al.,

Defendants.

Case No. [21-cv-08608-SI](#)

**ORDER ADOPTING REPORT AND
RECOMMENDATION AND
DISMISSING ACTION**

Re: Dkt. No. 9

On December 16, 2021, Magistrate Judge Tse issued a Report and Recommendation in the above-captioned case. Dkt. No. 9. The Report recommends the Court dismiss plaintiff's complaint with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) on the basis that the complaint presents "irrational or [] wholly incredible" allegations such that it can be deemed "frivolous" under the *in forma pauperis* statute. Dkt. No. 9 at 1.

Pursuant to 28 U.S.C. § 636(b)(1)(C), the parties had fourteen days from service of the Report to file written objections. *See also* Fed. R. Civ. P. 72(b). Plaintiff filed an objection on December 27, 2021. Dkt. No. 12. The objection largely repeats the same underlying allegations of plaintiff's complaint, but also comments on the Magistrate Judge's ethnicity and alleges this Court is "plagued with fraud and bribery." *See, e.g., Id.* ¶¶ 10, 13, 14, 15.

The Court has reviewed the Report, the docket in this case, and the objection. The Court agrees with Judge Tse's analysis and also finds no merit to plaintiff's objection. Accordingly, the Court ADOPTS the Report and Recommendation and DISMISSES the complaint with prejudice.

IT IS SO ORDERED.

Dated: January 11, 2022



SUSAN ILLSTON
United States District Judge